

**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
2103 E. Park Ave., PO Box 68
Kremmling, CO 80459**

**CATEGORICAL EXCLUSION
San Toy Assignment
DOI-BLM-CO-N02-2015-0013-CX**

Identifying Information

Project Title: San Toy Assignment of property from Andrews Radio Service to Grand County

Legal Description: 6th P.M., T. 1N., R. 81W., Section 35, Lot 8

Applicant: Grand County Board of County Commissioners

Casefile Number: COC-76828

Conformance with the Land Use Plan

The Proposed Action is subject to and is in conformance (43 CFR 1610.5) with the following land use plan:

Land Use Plan: Kremmling Record of Decision and Approved Resource Management Plan (ROD/RMP)

Date Approved: December 19, 1984; Updated February 1999

Decision Language: Provide the opportunity to utilize public lands for development of facilities which benefit the public, while considering environmental and agency concerns.

Proposed Action

Grand County Board of County Commissioners has applied for an assignment of property on the San Toy Communication site from Andrews Radio Service. The right-of-way (ROW) was issued to Andrews Radio Service on December 1, 2009. The property that will be transferred is a building, generator, 800 MHz transmitter, 800 MHz microwave, VHF transmitters, and all associated antenna equipment. Grand County will hold a ROW and Andrews Radio Service will still hold a ROW, only property is being assigned.

Project Components and General Schedule

Andrews Radio Service was issued a communications use lease on November 6, 2009, on San Toy Mountain. This authorization includes a 6 foot x 8 foot building, a 60 foot tower, a generator with a fuel tank, and an access road.

BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources

The applicant is responsible for informing all persons who are associated with project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If any paleontological resources are discovered as a result of operations under this authorization, the applicant must immediately contact the appropriate BLM representative.

Categorical Exclusion Review

The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, E., (9): Renewals and assignments of leases, permits or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by the bureau.		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations.		X

Extraordinary Circumstance	YES	NO
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

Interdisciplinary Review

The Proposed Action was presented to, and reviewed by, the Kremmling Field Office interdisciplinary team on April 6, 2015. A complete list of resource specialists who participated in this review is available upon request. The table below lists resource specialists who provided additional review or remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Annie Sperandio	Lands and Realty Specialist	Project Lead	04/13/2015
Bill Wyatt	Archaeologist	Cultural Resources, Native American Religious Concerns	04/06/2015
Darren Long	Wildlife Biologist	Special Status Plant and Wildlife Species	04/09/2015
Susan Valente	Planning and Environmental Coordinator	NEPA Compliance	4/13/2015

Cultural Resources: The action is not an undertaking as defined by Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108. Therefore consultation with the State Historic Preservation Officer (SHPO) is not necessary.

Native American Religious Concerns: Because this action is not an undertaking as defined by Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108, tribal consultation for traditional cultural use is not necessary under Section 106.

Threatened and Endangered Wildlife Species: This is a paperwork exercise that would not have direct or indirect effects to special status species.

Tribes, Individuals, Organizations, or Agencies Consulted

The action is not an undertaking as defined by Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108. Therefore consultation with the State Historic Preservation Officer (SHPO) and the five affiliated tribes is not necessary.

Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E., (9): Renewals and assignments of leases, permits or rights-of-way where no additional rights are conveyed beyond

those granted by the original authorizations. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

/s/ Stephanie Odell
Field Manager

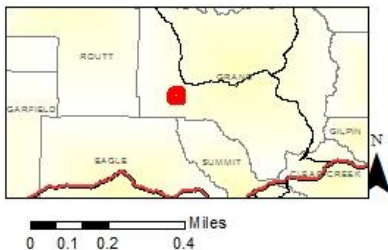
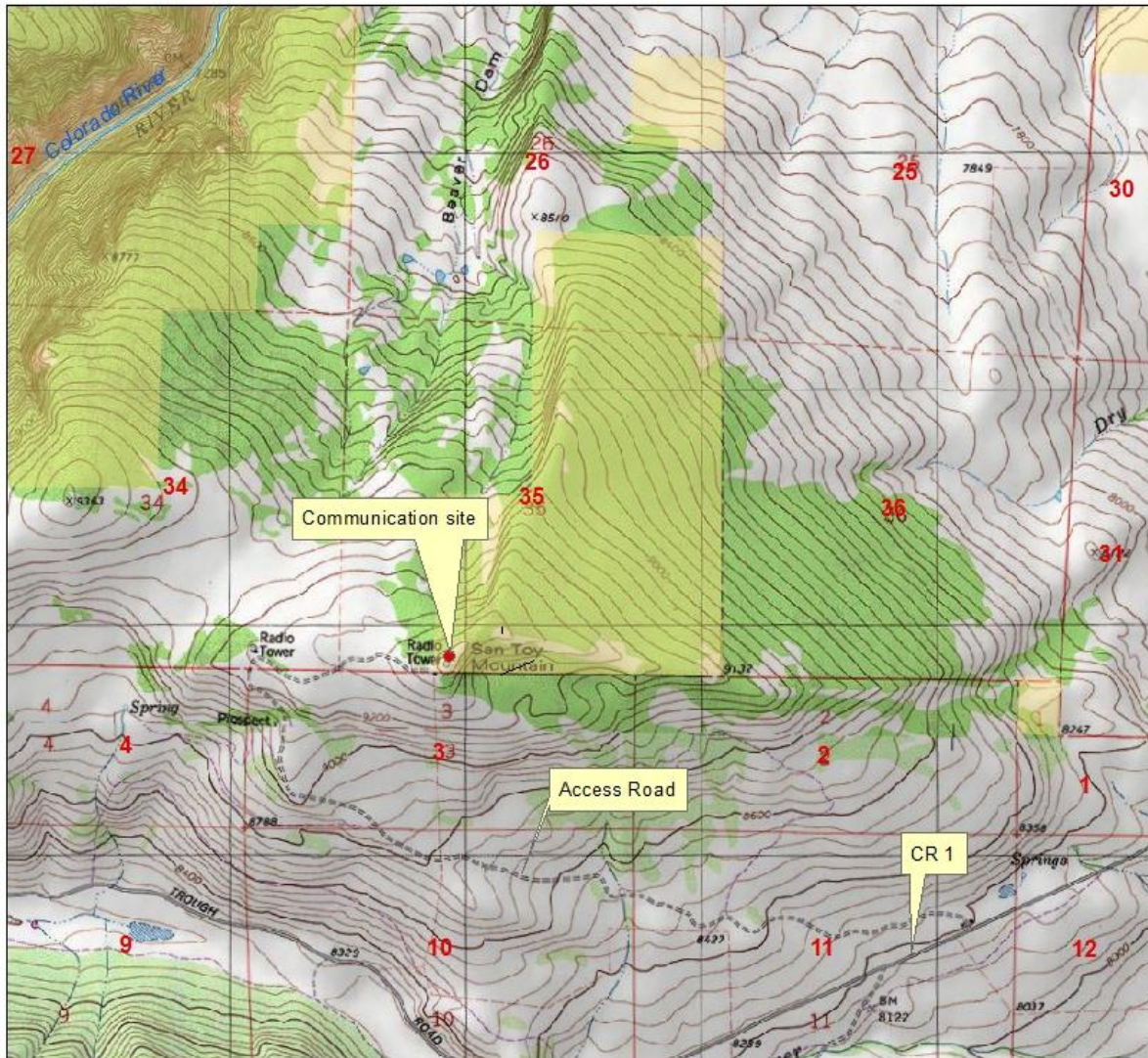
4/28/2015
Date

Appendix A. Figures



GC San Toy Communication Site COC-76828

T. 1N R. 81W



Legend
Land Status
Land Status
Bureau of Land Mgt
Division of Wildlife
National Park
US Forest Service
National Wildlife Refuge
Private
State
State Forest

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

Annie Sperandio, 4-6-2015
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U.S. Department of the Interior, Bureau of Land Management
Kremmling Field Office
2103 E. Park Ave, PO Box 68, Kremmling, CO 80459

Decision Record
San Toy Assignment
DOI-BLM-CO-N02-2015-0013-CX

Decision

It is my decision to implement the Proposed Action as described in DOI-BLM-CO-N02-2015-0013-CX, authorizing the assignment of property on San Toy from Andrews Radio Service to Grand County.

BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources

The applicant is responsible for informing all persons who are associated with project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If any paleontological resources are discovered as a result of operations under this authorization, the applicant must immediately contact the appropriate BLM representative.

Compliance with Laws & Conformance with the Land Use Plan

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 2015 Kremmling Record of Decision/Approved Resource Management Plan.

Public Involvement

This project was posted on the BLM online National Environmental Policy Act (NEPA) register on the date of its signature.

- https://www.blm.gov/epl-front-office/eplanning/lup/lup_register.do

Rationale

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, E., (9): This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

Administrative Remedies

This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at Kremmling Field Office, 2103 E. Park Ave, PO Box 68, Kremmling, CO 80459 with copies sent to the Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, CO 80215, and to the Department of the Interior, Board of Land Appeals, 801 North Quincy St., MS300-QC, Arlington, VA, 22203. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

Signature of Authorized Official

/s/ Stephanie Odell
Field Manager

4/28/2015